

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	200-	200-
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income (County)					
In-Kind Match (County)					
NET FISCAL IMPACT	0	0			
# ADDITIONAL FTE POSITIONS (Cumulative)	0	0			

Is Item Included In Current Budget? Yes ___ No ___ NA ___ X ___
 Budget Account No.: Fund ___ Dep't. ___ Unit ___ Object ___
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

C. Departmental Fiscal Review: John Murphy
 John Murphy, Finance Manager

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:
 There is no fiscal impact associated with this agenda item.

A. Willhite 8-27-08
 8/27/08 OFMB 8/27/08

Jan. J. Grand 8/28/08
 8/28/08 Contract Dev. and Control

B. Legal Sufficiency:

[Signature] 8/29/08
 Assistant County Attorney

C. Other Department Review:

 Department Director

RESOLUTION NO. R-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING RESOLUTION NO. R 2001-2241, AS AMENDED BY RESOLUTION NOS. R2002-0485, R2003-1582, R2004-0949, AND R2007-0711; EXPANDING THE MEMBERSHIP OF THE PALM TRAN SERVICE BOARD TO TWELVE MEMBERS; REVISING THE CRITERIA FOR MEMBERSHIP; MODIFYING THE ROLE OF THE CHAIRPERSON; AMENDING THE QUORUM REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners adopted Resolution No. R2001-2241 which created the Palm Tran Service Board (also referred to herein as the PTSB); and

WHEREAS, the Board of County Commissioners adopted Resolution No. R2002-0485 which amended the manner in which members are appointed to the PTSB and extended the sunset date established for the PTSB to September 30, 2003; and

WHEREAS, the Board of County Commissioners adopted Resolution No. R2003-1582 to remove the sunset date established for the PTSB, and thereafter adopted Resolution No. R2004-0949 to establish a citizen at-large position; and

WHEREAS, the Board of County commissioners adopted Resolution 2007-0711 modifying the membership criteria so as to allow one (1) member of the PTSB to be an employee of a paratransit service provider as long as that member has extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County; and

WHEREAS, the Board of County Commissioners wishes to further amend Resolution No. R2001-2241, as previously amended, to increase the membership of the PTSB from eleven (11) to twelve (12) members, to require that the twelfth member have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County, to make the Chairperson of the PTSB a non-voting member, except in the case of a tie vote, and to increase the number of members who must be present to constitute a quorum of the PTSB from six (6) to seven (7) members.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. Section 6. Composition, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

Section 6. Composition - The PTSB shall be composed of twelve (12) voting members who shall be residents of Palm Beach County. The Board of County Commissioners shall appoint each member who shall serve at large and at the pleasure of the Board of County Commissioners.

2. Section 7. Terms, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

Section 7. Terms –

a. The terms of all PTSB members shall be for two (2) years, and there shall be no limit upon the number of terms any member may serve.

b. In order to achieve a staggering of terms, the initial terms held by the members appointed to serve as representatives from the categories described in Section 7.e.1), 3), 5), 7), 9) and 11) shall be for two (2) years. The initial terms held by the members appointed to serve as representatives from the categories described in Section 7.e.2), 4), 6), 8), 10), and 12) shall be for one (1) year.

c. Any member may be removed, for any reason whatsoever, with or without cause, by the Board of County Commissioners.

d. Notwithstanding anything contained herein, a member's appointment shall terminate and the member shall be automatically removed, with or without the action of the Board of County Commissioners, for lack of attendance. Lack of attendance is defined as a failure to attend three (3) consecutive meetings or three (3) meetings within a one (1) year period regardless of the reason for the absences.

e. To the extent deemed possible by the Board of County Commissioners, the criteria set forth below will be used in the selection and appointment of members to serve on the PTSB. It is the goal of the Board of County Commissioners to have one (1) representative from each of the following twelve (12) categories appointed to the PTSB:

1) Transportation experience

- 2) Disability advocate
- 3) Environmental advocate
- 4) Elected municipal official of a municipality located in Palm Beach County
- 5) Business community representative
- 6) Representative of the diverse communities of Palm Beach County
- 7) Senior citizen
- 8) Certified paratransit user
- 9) Regular fixed route bus passenger
- 10) Fixed route bus operator
- 11) Citizen at-large
- 12) Paratransit expertise

f. The member selected to represent the certified paratransit user category described in Section 7.e.8 above may be employed by a paratransit transportation provider providing services to Palm Beach County; provided, however, that if the member's occupation is in the area of paratransit transportation services, than such member shall have extensive experience dealing with the consumers of paratransit transportation services in Palm Beach County.

3. Section 8. PTSB Chairperson, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

8. PTSB Chairperson - The PTSB shall elect a chairperson and a vice-chairperson from among its twelve (12) members. The chairperson shall be a non-voting member except, in the case of a tie vote, the chairperson shall cast the deciding vote. The chairperson and the vice-chairperson shall each serve for a term of one year. In the event the chairperson is not present at a meeting, the vice-chairperson shall act as the chairperson and in such role shall be a non-voting member except, in the case of a tie vote, the acting chairperson shall cast the deciding vote.

4. Section 9. Quorum and Meetings, of Resolution No. R2001-2241, as amended, is amended to provide as follows:

9. Quorum and Meetings –

a. A quorum of the PTSB's membership must be physically present in

order to conduct any business or take any action. A quorum shall consist of seven (7) of the twelve (12) members. The chairperson shall be considered a member for purposes of determining whether a quorum is physically present, but shall vote only in the case of a tie vote, and shall cast the deciding vote.

b. The PTSB shall endeavor to meet on a monthly basis and may meet more or less frequently as it deems appropriate.

c. The PTSB shall conduct its meetings according to Robert's Rules of Order and may establish rules of procedure for the conduct of its meetings.

This resolution shall take effect upon its adoption.

The foregoing resolution was offered by Commissioner _____,

who moved its adoption. The motion was seconded by

Commissioner _____,

and upon being put to a vote, the vote was as follows:

Commissioner Addie Greene	_____
Commissioner Jeff F. Koons	_____
Commissioner Karen T. Marcus	_____
Commissioner Robert J. Kanjian	_____
Commissioner Mary McCarty	_____
Commissioner Burt Aaronson	_____
Commissioner Jess R. Santamaria	_____


The Chairperson thereupon declared the resolution duly passed and adopted this

____ day of _____, 2008.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, by its
BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

By: 
County Attorney

By: _____
Deputy Clerk